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OBLON SPIVAK

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(571) 273 8300

ATTN: OFFICE OF PETITIONS

on Date: May 3, 2007

Signature: Edward Tracy Jr.
Attorney - Edward W. Tracy Jr.

Total number of pages including this page: 34

ATTORNEYS AT LAW

1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
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OSMM&N File No. 250049US26YA

Serial No. 10/799,892

In the matter of the Application of: Eric KAUFFMAN, et al.

For: SERVICE ACTIVITY MANAGEMENT SYSTEM AND METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENT

Due Date: 6-16-07

- ☐ Credit Card Form for \$1,500.00
- ☐ Dep. Acct. Order Form
- ☐ Cover Letter
- ☐ Petition to Revive an Abandoned Application under 37 C.F.R. § 1.137(b)
- ☐ Request for Refund under 37 C.F.R. § 1.26(a) w/ Attachments I, II, and III
(in duplicate)

I:\ATTY\250049US\250049US-FR 5-2-07.doc

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.

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OBLON SPIVAK

NO. 197 P. 3

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MAY 03 2007

Docket No.: 250049US26YA

BOX: DAC
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ALEXANDRIA, VIRGINIA 22313
ATTN: OFFICE OF PETITIONS



ATTORNEYS AT LAW

STEVEN P. WEIHROUCH
(703) 413-3000
SWEIHROUCH@OBLON.COM

EDWARD W. TRACY, JR.
SENIOR ASSOCIATE
(703) 413-2779
ETRACY@OBLON.COM

RE: Application Serial No.: 10/799,892
Applicants: Eric KAUFFMAN, et al.
Filing Date: March 15, 2004
For: SERVICE ACTIVITY MANAGEMENT SYSTEM
AND METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENT
Group Art Unit: 3623
Examiner: JARRETT, S.

SIR:

Attached hereto for filing are the following papers:
PETITION TO REVIVE AN ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)
REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26(a) (IN DUPLICATE)
W/ ATTACHMENTS I, II, AND III

Our credit card payment form in the amount of \$1,500.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, appearing to read "Steven P. Weihrouch".

Steven P. Weihrouch
Registration No. 32,829

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

I:\ATTY\250049US\250049US SHTCOV 5-2-07.DOC

Edward W. Tracy, Jr.
Registration No. 47,998

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TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

DOCKET NO: 250049US6YA

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ERIC KAUFFMAN, ET AL. : EXAMINER: JARRETT, S.
SERIAL NO: 10/799,892 :
FILED: MARCH 15, 2004 : GROUP ART UNIT: 3623
FOR: SERVICE ACTIVITY :
MANAGEMENT SYSTEM AND
METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENT

PETITION TO REVIVE AN ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)

BOX: DAC
COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTN: OFFICE OF PETITIONS

SIR:

Responsive to the Notice of Abandonment dated April 16, 2007, Applicants, through counsel of record, respectfully request that the holding of abandonment for the above-identified application be withdrawn due to the fact that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional. The requirements of 37 C.F.R. §1.137(b) are met by the present submission as follows:

(1) A required reply was filed by the undersigned petitioner as continuation application No. 11/740,195 on April 25, 2007. (As noted in MPEP §711.03(c), for a non-provisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application.);

Application No. 10/799,892
Reply to Notice of Abandonment of April 16, 2007

(2) The petition fee under 37 C.F.R. §1.17(m) is attached as a credit card payment form for \$1,500.00;

(3) The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional; and

(4) No terminal disclaimer is required as the present application was filed after May 29, 2000.

In light of the foregoing being submitted in support of this request, the restoration of this application is earnestly solicited.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

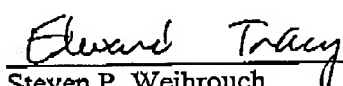
22850

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 06/04)

I:\ATTY\51250049US\250049US PET TO WD ABOND.DOC


Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Edward Tracy
Registration No. 47,998

DOCKET NO: 250049US6YA

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

ERIC KAUFFMAN, ET AL. :

SERIAL NO: 10/799,892 :

FILED: MARCH 15, 2004 :

FOR: SERVICE ACTIVITY
MANAGEMENT SYSTEM AND
METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENT :

: EXAMINER: JARRETT, S.

: GROUP ART UNIT: 3623

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OFFICE OF PETITIONS

REQUEST FOR REFUND UNDER 37 C.F.R. §1.26(a)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTN: REFUND SECTION,
FINANCIAL ACCOUNTING DIVISION
OFFICE OF FINANCE

SIR:

Applicants herein request a refund under 37 C.F.R. §1.26(a) of the fees paid for the fifth one-month extension of time filed April 25, 2007, in the above-identified application, copies of which are enclosed with a Electronic Acknowledgement Receipt indicating the filing thereof.

Applicants submit that the petition for a fifth one-month extension of time was mistakenly filed on April 25, 2007, and therefore the fee submitted therewith should be refunded.

Application No. 10/799,892
Reply to Notice of Abandonment of April 16, 2007

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BACKGROUND FACTS

1. On August 21, 2006, Applicants herein filed a Request for Continued Examination along with a petition for a second month extension of time;
2. The Applicants' representative received a case-specific, non-regular U.S.P.T.O. communication of which mailing date is September 25, 2006. The communication required the Applicants under 37 C.F.R. §1.105 to provide the specified information. A copy of the communication is attached as Attachment I;
3. A required reply was filed by the undersigned petitioner as continuation application No. 11/740,195 on April 25, 2007. Concurrently, a petition for a five month extension was filed in this application. A copy of the petition and Electronic Acknowledgement Receipt is attached as Attachment II; and
4. However, the Request for Information under 37 C.F.R. §1.105 had a statutory due date of March 25, 2007, and thus the present application was unintentionally abandoned on March 25, 2007. A Notice of Abandonment was issued in this application on April 16, 2007. A copy of this Notice is attached as Attachment III.

REMARKS

Under 37 C.F.R. §1.26(a), any fee paid by mistake will be refunded. Applicants submit that the fifth one-month extension of time out of the five month extension of time (Attachment II) was filed mistakenly in this application.

As the present application was unintentionally abandoned on March 25, 2007, the filing of the petition for a fifth one-month extension on April 25, 2007 was not necessary, moot, and therefore, a mistake.

Application No. 10/799,892

Reply to Notice of Abandonment of April 16, 2007

Applicants therefore respectfully submit that a refund of \$570.00 for the fifth one-month extension of time filed April 25, 2007 is justified under 37 C.F.R. §1.26(a), and that any refund granted be credited to Deposit Account No. 15-0030.

Furthermore, if the Refund Section has any further concerns, they are invited to contact the undersigned directly at 703-413-2779.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

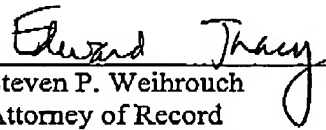
22850

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

I:\ATTY\ET250049US\250049US REQ FOR REFUND 5-2-07.DOC


Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Edward Tracy
Registration No. 47,998



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,892	03/15/2004	Eric Kauffman	250049US6YA	8339
22850	7590	09/25/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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OFFICE OF PETITIONS

ATTACHMENT I
Serial No. 10/799,892

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MAY 03 2007 Page 2

Application/Control Number: 10/799,892
Art Unit: 3623

Requirement for Information – USC § 1.105

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

Examiner's research indicates that the applicant and/or assignee have provided a system and method for managing service activities related to semiconductor manufacturing as well as participated in the development and adoption of the International SEMATECH's e-Diagnostics initiative(s) for the semiconductor industry as evidenced by at least the following references (as cited in the Notice of References Cites, PTO-892, mailed March 27, 2006):

- e-Diagnostics Workshop Group Meeting Attendance (2000) teaches Tokyo Electron's participation in the International SEMATECH e-Diagnostics project; and
- Staff, LT, Tokyo Electron Selects Enigma to Support Web Site (2003) teaches Tokyo Electron's web-based software application (TELcustomer.com) wherein "TEL has been using Enigma-based technology for five years to provide critical maintenance and service procedures to its customers and field support teams. Now, with this application, TEL is delivering additional productivity to their field services organization and providing customers with direct, automatic procurement processes for the parts they need."

Application/Control Number: 10/799,892
Art Unit: 3623

Page 3

In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter, specifically information on related to the SEMATECH e-Diagnostic initiative(s) and the methods/systems utilized by the above-cited products and/or services provided by the applicant and/or assignee (e.g. TELcustomer.com).

In response to this requirement, please state the specific improvements of the claimed subject matter in claims 1-41 over the system and method for managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative disclosed above and indicate the specific elements in the claimed subject matter that provide those improvements.

In response to this requirement, please provide the citation and a copy of each publication, which any of the applicants authored or co-authored and which describe the disclosed subject matter of managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative(s).

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative(s).

Application/Control Number: 10/799,892
Art Unit: 3623

Page 4

For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement.

Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is

Application/Control Number: 10/799,892

Page 5

Art Unit: 3623

unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The period for reply is ordinarily set for 2 months.

Application/Control Number: 10/799,892
Art Unit: 3623

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Page 6

MAY 03 2007

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SJ
9/8/2006

SUPERVISOR
TECHNICAL

Electronic Acknowledgement Receipt

EFS ID:	1716794
Application Number:	10799892
International Application Number:	
Confirmation Number:	8339
Title of Invention:	SERVICE ACTIVITY MANAGEMENT SYSTEM AND METHOD FOR SEMICONDUCTOR MANUFACTURING EQUIPMENT.
First Named Inventor/Applicant Name:	Eric Kauffman
Customer Number:	22850
Filer:	Marvin Jay Spivak/LaKisha Durham
Filer Authorized By:	Marvin Jay Spivak
Attorney Docket Number:	250049US6YA
Receipt Date:	25-APR-2007
Filing Date:	15-MAR-2004
Time Stamp:	18:37:19
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$2160
RAM confirmation Number	957
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
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ATTACHMENT II

1	Extension of Time	250049USEXTENSION.pdf	31818	no	1
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8208	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			40026		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Docket No. 250049US26YA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 03 2007

IN RE APPLICATION OF: Eric KAUFFMAN, et al.

SERIAL NO: 10/799,892

GAU: 3623

FILED: March 15, 2004

EXAMINER: JARRETT, S.

FOR: SERVICE ACTIVITY MANAGEMENT SYSTEM AND METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENTREQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

It is hereby requested that a five month extension of time be granted to April 25, 2007 for

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☒ filing a Continuation Application.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of \$2,160.00 is being made by credit card payment and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Steven P. Weihrauch

Registration No. 32,829

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Edward W. Tracy, Jr.

Registration No. 47,998

Edwin D. Garlepp
Registration No. 45,330

COPY



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,892	03/15/2004	Eric Kauffman	250049US6YA	8339

22850	7590	04/16/2007
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.		
1940 DUKE STREET		
ALEXANDRIA, VA 22314		

EXAMINER	
JARRETT, SCOTT L	

ART UNIT	PAPER NUMBER
1623	

NOTIFICATION DATE	DELIVERY MODE
04/16/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

ATTACHMENT III
Serial No. 10/426,697

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MAY 03 2007

Notice of Abandonment

Application No.

10/799,892

Examiner

Scott L. Jarrett

Applicant(s)

KAUFFMAN ET AL.


Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 25 September 2006.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


SCOTT L. JARRETT
1000 DOW CENTER 8300

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20070410

DOCKET NO: 250049US6YA

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ERIC KAUFFMAN, ET AL. : EXAMINER: JARRETT, S.
SERIAL NO: 10/799,892 :
FILED: MARCH 15, 2004 : GROUP ART UNIT: 3623
FOR: SERVICE ACTIVITY :
MANAGEMENT SYSTEM AND
METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENT

REQUEST FOR REFUND UNDER 37 C.F.R. §1.26(a)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTN: REFUND SECTION,
FINANCIAL ACCOUNTING DIVISION
OFFICE OF FINANCE

SIR:

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Application No. 10/799,892
Reply to Notice of Abandonment of April 16, 2007

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BACKGROUND FACTS

1. On August 21, 2006, Applicants herein filed a Request for Continued Examination along with a petition for a second month extension of time;
2. The Applicants' representative received a case-specific, non-regular U.S.P.T.O. communication of which mailing date is September 25, 2006. The communication required the Applicants under 37 C.F.R. §1.105 to provide the specified information. A copy of the communication is attached as Attachment I;
3. A required reply was filed by the undersigned petitioner as continuation application No. 11/740,195 on April 25, 2007. Concurrently, a petition for a five month extension was filed in this application. A copy of the petition and Electronic Acknowledgement Receipt is attached as Attachment II; and
4. However, the Request for Information under 37 C.F.R. §1.105 had a statutory due date of March 25, 2007, and thus the present application was unintentionally abandoned on March 25, 2007. A Notice of Abandonment was issued in this application on April 16, 2007. A copy of this Notice is attached as Attachment III.

REMARKS

Under 37 C.F.R. §1.26(a), any fee paid by mistake will be refunded. Applicants submit that the fifth one-month extension of time out of the five month extension of time (Attachment II) was filed mistakenly in this application.

As the present application was unintentionally abandoned on March 25, 2007, the filing of the petition for a fifth one-month extension on April 25, 2007 was not necessary, moot, and therefore, a mistake.

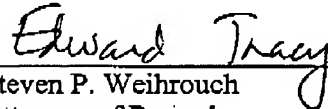
Application No. 10/799,892
Reply to Notice of Abandonment of April 16, 2007

Applicants therefore respectfully submit that a refund of \$570.00 for the fifth one-month extension of time filed April 25, 2007 is justified under 37 C.F.R. §1.26(a), and that any refund granted be credited to Deposit Account No. 15-0030.

Furthermore, if the Refund Section has any further concerns, they are invited to contact the undersigned directly at 703-413-2779.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\ET\250049US\250049US REQ FOR REFUND 5-2-07.DOC

Edward Tracy
Registration No. 47,998



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,892	03/15/2004	Eric Kauffman	250049US6YA	8339
22850	7590	09/25/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

ATTACHMENT I
Serial No. 10/799,892

Application/Control Number: 10/799,892
Art Unit: 3623

Page 2

Requirement for Information – USC § 1.105

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

Examiner's research indicates that the applicant and/or assignee have provided a system and method for managing service activities related to semiconductor manufacturing as well as participated in the development and adoption of the International SEMATECH's e-Diagnostics initiative(s) for the semiconductor industry as evidenced by at least the following references (as cited in the Notice of References Cites, PTO-892, mailed March 27, 2006):

- e-Diagnostics Workshop Group Meeting Attendance (2000) teaches Tokyo Electron's participation in the International SEMATECH e-Diagnostics project; and
- Staff, LT, Tokyo Electron Selects Enigma to Support Web Site (2003) teaches Tokyo Electron's web-based software application (TELcustomer.com) wherein "TEL has been using Enigma-based technology for five years to provide critical maintenance and service procedures to its customers and field support teams. Now, with this application, TEL is delivering additional productivity to their field services organization and providing customers with direct, automatic procurement processes for the parts they need."

Application/Control Number: 10/799,892

Page 3

Art Unit: 3623

In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter, specifically information on related to the SEMATECH e-Diagnostic initiative(s) and the methods/systems utilized by the above-cited products and/or services provided by the applicant and/or assignee (e.g. TELcustomer.com).

In response to this requirement, please state the specific improvements of the claimed subject matter in claims 1-41 over the system and method for managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative disclosed above and indicate the specific elements in the claimed subject matter that provide those improvements.

In response to this requirement, please provide the citation and a copy of each publication, which any of the applicants authored or co-authored and which describe the disclosed subject matter of managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative(s).

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to managing service activities related to semiconductor manufacturing and/or the International SEMATECH's e-Diagnostics initiative(s).

Application/Control Number: 10/799,892
Art Unit: 3623

Page 4

For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement.

Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is

Application/Control Number: 10/799,892

Page 5

Art Unit: 3623

unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The period for reply is ordinarily set for 2 months.

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MAY 03 2007

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Application/Control Number: 10/799,892

Art Unit: 3623

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SJ
9/8/2006SUPERVISOR
TECHNICAL

Electronic Acknowledgement Receipt

EFS ID:	1716794
Application Number:	10799892
International Application Number:	
Confirmation Number:	8339
Title of Invention:	SERVICE ACTIVITY MANAGEMENT SYSTEM AND METHOD FOR SEMICONDUCTOR MANUFACTURING EQUIPMENT.
First Named Inventor/Applicant Name:	Eric Kauffman
Customer Number:	22850
Filer:	Marvin Jay Spivak/LaKisha Durham
Filer Authorized By:	Marvin Jay Spivak
Attorney Docket Number:	250049US6YA
Receipt Date:	25-APR-2007
Filing Date:	15-MAR-2004
Time Stamp:	18:37:19
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$2160
RAM confirmation Number	957
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
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ATTACHMENT II

1	Extension of Time	250049USEXTENSION.pdf	31818	no	1
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8208	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			40026		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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MAY 03 2007

Docket No. 250049US26YA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Eric KAUFFMAN, et al.

SERIAL NO: 10/799,892

GAU: 3623

FILED: March 15, 2004

EXAMINER: JARRETT, S.

FOR: SERVICE ACTIVITY MANAGEMENT SYSTEM AND METHOD FOR SEMICONDUCTOR
MANUFACTURING EQUIPMENTREQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

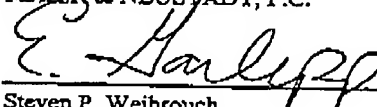
SIR:

It is hereby requested that a five month extension of time be granted to April 25, 2007 for

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☒ filing a Continuation Application.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of \$2,160.00 is being made by credit card payment and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Steven P. Weihrouck

Registration No. 32,829

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Edward W. Tracy, Jr.

Registration No. 47,998

Edwin D. Garlepp
Registration No. 45,330

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,892	03/15/2004	Eric Kauffman	250049US6YA	8339

Z2850 7590 04/16/2007
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

EXAMINER	
JARRETT, SCOTT L	

ART UNIT	PAPER NUMBER
3623	

NOTIFICATION DATE	DELIVERY MODE
04/16/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
 oblonpat@oblon.com
 jgardner@oblon.com


ATTACHMENT III
Serial No. 10/426,697

Notice of Abandonment	Application No.	Applicant(s)	
	10/799,892	KAUFFMAN ET AL.	
	Examiner	Art Unit	
	Scott L. Jarrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 25 September 2006.
 - ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:


 SCOTT L. JARRETT
 EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20070410